

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JERRY KING JR. and YVONNE
CROSS,

Plaintiffs,

v.

OCWEN, et al.,

Defendants.

CIVIL ACTION NO. 07-11359

DISTRICT JUDGE NANCY G. EDMUNDS

MAGISTRATE JUDGE DONALD A. SCHEER

ORDER

On May 13, 2008, the court entered an Order Granting Summary Judgment to Defendant Trott and Trott, P.C. as to all claims of Plaintiff Yvonne Cross in this action. On August 18, 2008, Plaintiff's filed their Emergency Ex Parte Motion for an Extension of Time to Answer Trott and Trott, P.C.'s Renewed Motion for Judgment on the Pleadings and Motion for Adjournment of Hearing Scheduled for August 20, 2008. The motion was signed only by Yvonne Cross. The motion to which the extension of time was requested pertained only to Plaintiff Jerry King.

Fed.R.Civ.P. 11(a) requires that every written motion be signed by at least one attorney of record, or by a party personally if the party is unrepresented. As Yvonne Cross was neither a party nor an attorney of record for purposes of Trott and Trott P.C.'s Motion for Summary Judgment/Dismissal, her Emergency Ex Parte Motion for an Extension of Time is non-compliant with the rule. Cross was advised from the bench that she was not authorized to file papers on behalf of any other party.

IT IS THEREFORE ORDERED that the Emergency Ex Parte Motion for an Extension of Time to Answer Trott and Trott, P.C.'s Renewed Motion for Judgment on the Pleadings and Motion for Adjournment of Hearing Scheduled for August 20, 2008 shall be stricken from the record.

s/Donald A. Scheer
DONALD A. SCHEER
UNITED STATES MAGISTRATE JUDGE

DATED: February 6, 2009

CERTIFICATE OF SERVICE

I hereby certify on February 6, 2009 that I electronically filed the foregoing paper with the Clerk of the Court sending notification of such filing to all counsel registered electronically. I hereby certify that a copy of this paper was mailed to the following non-registered ECF participants on February 6, 2009: **Jerry King, Jr.**

s/Michael E. Lang
Deputy Clerk to
Magistrate Judge Donald A. Scheer
(313) 234-5217